

MELINDA HAAG (CABN 132612)  
United States Attorney

MIRANDA KANE (CABN 150630)  
Chief, Criminal Division

THOMAS E. STEVENS (CABN 168362)  
KYLE F. WALDINGER (ILBN 6238304)  
Assistant United States Attorney

450 Golden Gate Avenue, 11<sup>th</sup> Floor  
San Francisco, California 94102  
Telephone: (415) 436-7200  
Facsimile: (415) 436-7234  
E-mail: thomas.stevens@usdoj.gov  
kyle.waldinger@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 11-0393 WHA
	)	
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del>
	)	ORDER CONTINUING SENTENCING
v.	)	DATE
	)	
EDWARD LOCKER,	)	
	)	
	)	
Defendant.	)	

It is hereby stipulated by and between counsel for the United States, Assistant United States Attorney Kyle F. Waldinger, and counsel for defendant Edward Locker, Anthony J. Brass, that, subject to the Court's approval, the sentencing hearing presently set for March 13, 2012, be continued and set for a sentencing hearing on June 26, 2012, at 2:00 p.m. The United States has previously determined from reviewing the Court's publicly posted scheduling information that the Court is currently available for a hearing on that date. The assigned probation officer, Mr. Mabie, also has been consulted with respect to this date and has indicated that he is available on that date.

1. On December 6, 2011, the Edward Locker pleaded guilty to Count One of the  
STIPULATION & ~~PROPOSED~~ ORDER  
CR 11-0393 WHA

1 Indictment charging him with conspiracy to commit mail fraud and wire fraud. The defendant  
2 Locker's plea was pursuant to a plea agreement in which he agreed to cooperate with the  
3 government's investigation and prosecution of other individuals.

4 2. In light of continuing cooperation under the terms of the plea agreement, the  
5 parties jointly request that the sentencing hearing set for March 13, 2012, be continued for a  
6 sentencing hearing on June 26, 2012.

7 3. Additional time is needed for the defendant to complete his cooperation with the  
8 government. Specifically, one of the defendant Locker's co-defendants, David Lin, is set to  
9 proceed to trial on April 2, 2012. It is expected that Mr. Locker will testify at that trial.

10 4. Accordingly, for all of these reasons, the parties jointly request that this Court  
11 vacate the sentencing hearing presently set for March 13, 2012, and set a sentencing hearing  
12 for June 26, 2012 at 2:00 p.m. In addition, the parties jointly request that the due dates for the  
13 presentence report be calculated using the new sentencing date.

14  
15 SO STIPULATED.

16 DATED: February 22, 2012

MELINDA HAAG  
United States Attorney

17  
18  
19 /s/  
KYLE F. WALDINGER  
Assistant United States Attorney

20  
21 DATED: February 22, 2012

/s/  
ANTHONY J. BRASS  
Attorney for defendant Edward Locker

~~PROPOSED~~ ORDER

GOOD CAUSE APPEARING,

IT IS ORDERED that the sentencing hearing presently set for March 13, 2012, be continued to June 26, 2012 at 2:00 p.m. The final presentence report should be disclosed two weeks prior to the sentencing date.

Dated this 22nd day February, 2012



---

William Alsup  
UNITED STATES DISTRICT JUDGE